

FEB 26 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEVEN MAYERS,

Plaintiff,

v.

LOREE DIANE TAYLOR, et al.,

Defendants.

Case No.: CV 09 0790 EDL (EMC)

**[PROPOSED] ARBITRATION ORDER  
RESOLVING DISPUTE RE:  
SETTLEMENT AGREEMENT**

Judge: Hon. Edward M. Chen

This case settled on November 5, 2009 at a Settlement Conference conducted by this Court. Pursuant to the terms of the settlement recited on the record, all parties and their counsel agreed that any disputes regarding the terms of a written settlement agreement or any terms not fully disclosed on the record would be resolved through binding arbitration by this Court, without any right of appeal. Plaintiff and those Defendants represented by attorney Robert Drescher have submitted a joint letter in which they set forth their respective positions regarding a disputed issue concerning the parties' written settlement agreement. Having considered this letter and the exhibits thereto, this Court hereby orders as follows:

(1) Defendants ROCKY COLOGNE dba ROCKY COLOGNES COMEDY TRAFFIC SCHOOL, KEN R. HARRISON, JOSEPH RANDALL dba FINALLY A GAY TRAFFIC SCHOOL, GEORGE H. APKARIAN dba FUN N CHEAP COMEDY TRAFFIC SCHOOL, ROSALINA L. AVENA dba ROSY DRIVING SCHOOL, PANYA LEE, dba A SAFE WAY DRIVING SCHOOL, TIMOTHY J. KARO dba SF BAY TRAFFIC VIOLATOR SCHOOL, JAMES SUN HUNG CHAN dba NU TECH DRIVING & TRAFFIC SCHOOL, and SHEILA ANN IP dba SPEED TRAFFIC SCHOOL, and their attorney, Robert Drescher, shall execute that version of the written settlement agreement attached as Exhibit A to the parties' joint letter within five days of the date of this Order; and

(2) Defendants ROCKY COLOGNE dba ROCKY COLOGNES COMEDY TRAFFIC SCHOOL, KEN R. HARRISON, JOSEPH RANDALL dba FINALLY A GAY TRAFFIC SCHOOL, GEORGE H. APKARIAN dba FUN N CHEAP COMEDY TRAFFIC SCHOOL, ROSALINA L. AVENA dba ROSY DRIVING SCHOOL, PANYA LEE, dba A SAFE WAY DRIVING SCHOOL, TIMOTHY J. KARO dba SF BAY TRAFFIC VIOLATOR SCHOOL, JAMES SUN HUNG CHAN dba NU TECH DRIVING & TRAFFIC SCHOOL, and SHEILA ANN IP dba SPEED TRAFFIC SCHOOL shall pay their respective portion of settlement sums to Plaintiff by submitting a check to Disability Rights Advocates Client Trust Account within ten days of the date of this Order. If any of the foregoing parties does not submit such payment within ten days of the date of this Order, each such party shall pay interest on the amount owed pursuant to the rate established by 28 U.S.C. § 1961.

The Court so orders because the order was not brought as a class action and neither Mr. Mayers nor his attorney can bind the class of the deaf community. The language proposed by Mr. Drescher would have no legally binding effect.

DATED: 2/26/10

  
Hon. EDWARD M. CHEN  
United States Magistrate Judge